

Notice of Allowability

Application No.

09/465,592

Examiner

Kim-Kwok CHU

Applicant(s)

CULVER ET AL.

Art Unit

2627

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Amendment filed on 10/13/2006.
2. ☒ The allowed claim(s) is/are 10, 11, 13-17, 19, 18, 22, 23, 40-44 and 49-51 which are renumbered as 1-19 respectively.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

Allowable Subject Matter

1. Claims 10, 11, 13-19, 22, 23, 40-44 and 49-51 are allowable over prior art.

2. The following is an Examiner's statement of reasons for the indication of allowable subject matter based on the Amendment filed on October 13, 2006.

As in claim 10, the prior art of record fails to teach or fairly suggest that the electrostatic device comprises a series of prong sets, wherein, the prong sets are attached in series such that a first of the prong sets is attached at a first end to a fixed position of the apparatus, and a second end of the first prong set is attached to a first end of a second of the prong sets, and so on, until a last of the prong sets is attached at a first end to a second end of an $n-1$ prong set, and a second end of the last (n) prong set is attached to one of the media and the platform.

As in claim 22, the prior art of record fails to teach or fairly suggest that wherein the capacitance sensor comprises a fixed comb having fingers protruding in an x-axis direction, a moving comb connected to the coupling having fingers protruding in an x-axis direction and interleaved among the fingers of the fixed comb.

As in claim 23, the prior art of record fails to teach or fairly suggest that a capacitive comb array comprises a fixed comb and a moving comb each having a set of fingers interleaved between the other set of fingers.

As in claims 40 and 41, the prior art of record fails to teach or fairly suggest that the z-axis drive mechanism comprises a cantilever connected to the fine tip portion at one end, and at least one set of comb fingers rotatably attached to the platform allowing movement of the cantilever and the fine tip portion in at least a z-axis direction.

As in claim 43, the prior art of record fails to teach or fairly suggest that the z-axis drive mechanism comprises a lever connected to the fine tip portion at one end; a torsion bar connected at a second end of the lever; an isolation bridge connected at one of the second end of the lever and the torsion bar; a second torsion bar connected to the isolation bridge.

As in claim 49, the prior art of record fails to teach or fairly suggest that a cantilever having the fine tip attached at a first end; a moving assembly attached to the cantilever, comprising, a torsion bar electrically isolated and attached to the cantilever, and a force receiver attached to the cantilever and configured to apply force to the cantilever.

The features indicated above, in combination with the other elements of the claims, are not anticipated by, nor made

obvious over, the prior art of record.

3. Any inquiry concerning this communication or earlier communication from the examiner should be directed to Kim CHU whose telephone number is (571) 272-7585 between 9:30 am to 6:00 pm, Monday to Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrea Wellington, can be reached on (571) 272-4483.

The fax number for the organization where this application or proceeding is assigned is (571) 273-8300

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished application is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9191 (toll free).

Kim-Kwok CHU
Examiner AU2627
November 21, 2006
(571) 272-7585

11/21/2006


ANDREA WELLINGTON
SUPERVISORY PATENT EXAMINER